

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Unified Code of Corrections is amended by
5 changing Sections 3-3-7, 3-6-3, and 3-14-2 as follows:

6 (730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

7 Sec. 3-3-7. Conditions of Parole, Mandatory Supervised
8 Release, or Aftercare Release.

9 (a) The conditions of parole, aftercare release, or
10 mandatory supervised release shall be such as the Prisoner
11 Review Board deems necessary to assist the subject in leading a
12 law-abiding life. The conditions of every parole, aftercare
13 release, and mandatory supervised release are that the subject:

14 (1) not violate any criminal statute of any
15 jurisdiction during the parole, aftercare release, or
16 release term;

17 (2) refrain from possessing a firearm or other
18 dangerous weapon;

19 (3) report to an agent of the Department of Corrections
20 or to the Department of Juvenile Justice;

21 (4) permit the agent or aftercare specialist to visit
22 him or her at his or her home, employment, or elsewhere to
23 the extent necessary for the agent or aftercare specialist

1 to discharge his or her duties;

2 (5) attend or reside in a facility established for the
3 instruction or residence of persons on parole, aftercare
4 release, or mandatory supervised release;

5 (6) secure permission before visiting or writing a
6 committed person in an Illinois Department of Corrections
7 facility;

8 (7) report all arrests to an agent of the Department of
9 Corrections or to the Department of Juvenile Justice as
10 soon as permitted by the arresting authority but in no
11 event later than 24 hours after release from custody and
12 immediately report service or notification of an order of
13 protection, a civil no contact order, or a stalking no
14 contact order to an agent of the Department of Corrections;

15 (7.5) if convicted of a sex offense as defined in the
16 Sex Offender Management Board Act, the individual shall
17 undergo and successfully complete sex offender treatment
18 conducted in conformance with the standards developed by
19 the Sex Offender Management Board Act by a treatment
20 provider approved by the Board;

21 (7.6) if convicted of a sex offense as defined in the
22 Sex Offender Management Board Act, refrain from residing at
23 the same address or in the same condominium unit or
24 apartment unit or in the same condominium complex or
25 apartment complex with another person he or she knows or
26 reasonably should know is a convicted sex offender or has

1 been placed on supervision for a sex offense; the
2 provisions of this paragraph do not apply to a person
3 convicted of a sex offense who is placed in a Department of
4 Corrections licensed transitional housing facility for sex
5 offenders, or is in any facility operated or licensed by
6 the Department of Children and Family Services or by the
7 Department of Human Services, or is in any licensed medical
8 facility;

9 (7.7) if convicted for an offense that would qualify
10 the accused as a sexual predator under the Sex Offender
11 Registration Act on or after January 1, 2007 (the effective
12 date of Public Act 94-988), wear an approved electronic
13 monitoring device as defined in Section 5-8A-2 for the
14 duration of the person's parole, aftercare release,
15 mandatory supervised release term, or extended mandatory
16 supervised release term and if convicted for an offense of
17 criminal sexual assault, aggravated criminal sexual
18 assault, predatory criminal sexual assault of a child,
19 criminal sexual abuse, aggravated criminal sexual abuse,
20 or ritualized abuse of a child committed on or after August
21 11, 2009 (the effective date of Public Act 96-236) when the
22 victim was under 18 years of age at the time of the
23 commission of the offense and the defendant used force or
24 the threat of force in the commission of the offense wear
25 an approved electronic monitoring device as defined in
26 Section 5-8A-2 that has Global Positioning System (GPS)

1 capability for the duration of the person's parole,
2 aftercare release, mandatory supervised release term, or
3 extended mandatory supervised release term;

4 (7.8) if convicted for an offense committed on or after
5 June 1, 2008 (the effective date of Public Act 95-464) that
6 would qualify the accused as a child sex offender as
7 defined in Section 11-9.3 or 11-9.4 of the Criminal Code of
8 1961 or the Criminal Code of 2012, refrain from
9 communicating with or contacting, by means of the Internet,
10 a person who is not related to the accused and whom the
11 accused reasonably believes to be under 18 years of age;
12 for purposes of this paragraph (7.8), "Internet" has the
13 meaning ascribed to it in Section 16-0.1 of the Criminal
14 Code of 2012; and a person is not related to the accused if
15 the person is not: (i) the spouse, brother, or sister of
16 the accused; (ii) a descendant of the accused; (iii) a
17 first or second cousin of the accused; or (iv) a step-child
18 or adopted child of the accused;

19 (7.9) if convicted under Section 11-6, 11-20.1,
20 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or
21 the Criminal Code of 2012, consent to search of computers,
22 PDAs, cellular phones, and other devices under his or her
23 control that are capable of accessing the Internet or
24 storing electronic files, in order to confirm Internet
25 protocol addresses reported in accordance with the Sex
26 Offender Registration Act and compliance with conditions

1 in this Act;

2 (7.10) if convicted for an offense that would qualify
3 the accused as a sex offender or sexual predator under the
4 Sex Offender Registration Act on or after June 1, 2008 (the
5 effective date of Public Act 95-640), not possess
6 prescription drugs for erectile dysfunction;

7 (7.11) if convicted for an offense under Section 11-6,
8 11-9.1, 11-14.4 that involves soliciting for a juvenile
9 prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21
10 of the Criminal Code of 1961 or the Criminal Code of 2012,
11 or any attempt to commit any of these offenses, committed
12 on or after June 1, 2009 (the effective date of Public Act
13 95-983):

14 (i) not access or use a computer or any other
15 device with Internet capability without the prior
16 written approval of the Department;

17 (ii) submit to periodic unannounced examinations
18 of the offender's computer or any other device with
19 Internet capability by the offender's supervising
20 agent, aftercare specialist, a law enforcement
21 officer, or assigned computer or information
22 technology specialist, including the retrieval and
23 copying of all data from the computer or device and any
24 internal or external peripherals and removal of such
25 information, equipment, or device to conduct a more
26 thorough inspection;

1 (iii) submit to the installation on the offender's
2 computer or device with Internet capability, at the
3 offender's expense, of one or more hardware or software
4 systems to monitor the Internet use; and

5 (iv) submit to any other appropriate restrictions
6 concerning the offender's use of or access to a
7 computer or any other device with Internet capability
8 imposed by the Board, the Department or the offender's
9 supervising agent or aftercare specialist;

10 (7.12) if convicted of a sex offense as defined in the
11 Sex Offender Registration Act committed on or after January
12 1, 2010 (the effective date of Public Act 96-262), refrain
13 from accessing or using a social networking website as
14 defined in Section 17-0.5 of the Criminal Code of 2012;

15 (7.13) if convicted of a sex offense as defined in
16 Section 2 of the Sex Offender Registration Act committed on
17 or after January 1, 2010 (the effective date of Public Act
18 96-362) that requires the person to register as a sex
19 offender under that Act, may not knowingly use any computer
20 scrub software on any computer that the sex offender uses;

21 (8) obtain permission of an agent of the Department of
22 Corrections or the Department of Juvenile Justice before
23 leaving the State of Illinois;

24 (9) obtain permission of an agent of the Department of
25 Corrections or the Department of Juvenile Justice before
26 changing his or her residence or employment;

1 (10) consent to a search of his or her person,
2 property, or residence under his or her control;

3 (11) refrain from the use or possession of narcotics or
4 other controlled substances in any form, or both, or any
5 paraphernalia related to those substances and submit to a
6 urinalysis test as instructed by a parole agent of the
7 Department of Corrections or an aftercare specialist of the
8 Department of Juvenile Justice;

9 (12) not frequent places where controlled substances
10 are illegally sold, used, distributed, or administered;

11 (13) not knowingly associate with other persons on
12 parole, aftercare release, or mandatory supervised release
13 without prior written permission of his or her parole agent
14 or aftercare specialist and not associate with persons who
15 are members of an organized gang as that term is defined in
16 the Illinois Streetgang Terrorism Omnibus Prevention Act;

17 (14) provide true and accurate information, as it
18 relates to his or her adjustment in the community while on
19 parole, aftercare release, or mandatory supervised release
20 or to his or her conduct while incarcerated, in response to
21 inquiries by his or her parole agent or of the Department
22 of Corrections or by his or her aftercare specialist or of
23 the Department of Juvenile Justice;

24 (15) follow any specific instructions provided by the
25 parole agent or aftercare specialist that are consistent
26 with furthering conditions set and approved by the Prisoner

1 Review Board or by law, which may include use of an
2 approved electronic monitoring device as defined in
3 Section 5-8A-2 of this Code for a period not to exceed 30
4 days, ~~exclusive of placement on electronic detention,~~ to
5 achieve the goals and objectives of his or her parole,
6 aftercare release, or mandatory supervised release or to
7 protect the public. These instructions by the parole agent
8 or aftercare specialist may be modified at any time, as the
9 agent or aftercare specialist deems appropriate;

10 (16) if convicted of a sex offense as defined in
11 subsection (a-5) of Section 3-1-2 of this Code, unless the
12 offender is a parent or guardian of the person under 18
13 years of age present in the home and no non-familial minors
14 are present, not participate in a holiday event involving
15 children under 18 years of age, such as distributing candy
16 or other items to children on Halloween, wearing a Santa
17 Claus costume on or preceding Christmas, being employed as
18 a department store Santa Claus, or wearing an Easter Bunny
19 costume on or preceding Easter;

20 (17) if convicted of a violation of an order of
21 protection under Section 12-3.4 or Section 12-30 of the
22 Criminal Code of 1961 or the Criminal Code of 2012, be
23 placed under electronic surveillance as provided in
24 Section 5-8A-7 of this Code;

25 (18) comply with the terms and conditions of an order
26 of protection issued pursuant to the Illinois Domestic

1 Violence Act of 1986; an order of protection issued by the
2 court of another state, tribe, or United States territory;
3 a no contact order issued pursuant to the Civil No Contact
4 Order Act; or a no contact order issued pursuant to the
5 Stalking No Contact Order Act; and

6 (19) if convicted of a violation of the Methamphetamine
7 Control and Community Protection Act, the Methamphetamine
8 Precursor Control Act, or a methamphetamine related
9 offense, be:

10 (A) prohibited from purchasing, possessing, or
11 having under his or her control any product containing
12 pseudoephedrine unless prescribed by a physician; and

13 (B) prohibited from purchasing, possessing, or
14 having under his or her control any product containing
15 ammonium nitrate.

16 (b) The Board may in addition to other conditions require
17 that the subject:

18 (1) work or pursue a course of study or vocational
19 training;

20 (2) undergo medical or psychiatric treatment, or
21 treatment for drug addiction or alcoholism;

22 (3) attend or reside in a facility established for the
23 instruction or residence of persons on probation or parole;

24 (4) support his or her dependents;

25 (5) (blank);

26 (6) (blank);

1 (7) (blank);

2 (7.5) if convicted for an offense committed on or after
3 the effective date of this amendatory Act of the 95th
4 General Assembly that would qualify the accused as a child
5 sex offender as defined in Section 11-9.3 or 11-9.4 of the
6 Criminal Code of 1961 or the Criminal Code of 2012, refrain
7 from communicating with or contacting, by means of the
8 Internet, a person who is related to the accused and whom
9 the accused reasonably believes to be under 18 years of
10 age; for purposes of this paragraph (7.5), "Internet" has
11 the meaning ascribed to it in Section 16-0.1 of the
12 Criminal Code of 2012; and a person is related to the
13 accused if the person is: (i) the spouse, brother, or
14 sister of the accused; (ii) a descendant of the accused;
15 (iii) a first or second cousin of the accused; or (iv) a
16 step-child or adopted child of the accused;

17 (7.6) if convicted for an offense committed on or after
18 June 1, 2009 (the effective date of Public Act 95-983) that
19 would qualify as a sex offense as defined in the Sex
20 Offender Registration Act:

21 (i) not access or use a computer or any other
22 device with Internet capability without the prior
23 written approval of the Department;

24 (ii) submit to periodic unannounced examinations
25 of the offender's computer or any other device with
26 Internet capability by the offender's supervising

1 agent or aftercare specialist, a law enforcement
2 officer, or assigned computer or information
3 technology specialist, including the retrieval and
4 copying of all data from the computer or device and any
5 internal or external peripherals and removal of such
6 information, equipment, or device to conduct a more
7 thorough inspection;

8 (iii) submit to the installation on the offender's
9 computer or device with Internet capability, at the
10 offender's expense, of one or more hardware or software
11 systems to monitor the Internet use; and

12 (iv) submit to any other appropriate restrictions
13 concerning the offender's use of or access to a
14 computer or any other device with Internet capability
15 imposed by the Board, the Department or the offender's
16 supervising agent or aftercare specialist; and

17 (8) in addition, if a minor:

18 (i) reside with his or her parents or in a foster
19 home;

20 (ii) attend school;

21 (iii) attend a non-residential program for youth;

22 or

23 (iv) contribute to his or her own support at home
24 or in a foster home.

25 (b-1) In addition to the conditions set forth in
26 subsections (a) and (b), persons required to register as sex

1 offenders pursuant to the Sex Offender Registration Act, upon
2 release from the custody of the Illinois Department of
3 Corrections or Department of Juvenile Justice, may be required
4 by the Board to comply with the following specific conditions
5 of release:

6 (1) reside only at a Department approved location;

7 (2) comply with all requirements of the Sex Offender
8 Registration Act;

9 (3) notify third parties of the risks that may be
10 occasioned by his or her criminal record;

11 (4) obtain the approval of an agent of the Department
12 of Corrections or the Department of Juvenile Justice prior
13 to accepting employment or pursuing a course of study or
14 vocational training and notify the Department prior to any
15 change in employment, study, or training;

16 (5) not be employed or participate in any volunteer
17 activity that involves contact with children, except under
18 circumstances approved in advance and in writing by an
19 agent of the Department of Corrections or the Department of
20 Juvenile Justice;

21 (6) be electronically monitored for a minimum of 12
22 months from the date of release as determined by the Board;

23 (7) refrain from entering into a designated geographic
24 area except upon terms approved in advance by an agent of
25 the Department of Corrections or the Department of Juvenile
26 Justice. The terms may include consideration of the purpose

1 of the entry, the time of day, and others accompanying the
2 person;

3 (8) refrain from having any contact, including written
4 or oral communications, directly or indirectly, personally
5 or by telephone, letter, or through a third party with
6 certain specified persons including, but not limited to,
7 the victim or the victim's family without the prior written
8 approval of an agent of the Department of Corrections or
9 the Department of Juvenile Justice;

10 (9) refrain from all contact, directly or indirectly,
11 personally, by telephone, letter, or through a third party,
12 with minor children without prior identification and
13 approval of an agent of the Department of Corrections or
14 the Department of Juvenile Justice;

15 (10) neither possess or have under his or her control
16 any material that is sexually oriented, sexually
17 stimulating, or that shows male or female sex organs or any
18 pictures depicting children under 18 years of age nude or
19 any written or audio material describing sexual
20 intercourse or that depicts or alludes to sexual activity,
21 including but not limited to visual, auditory, telephonic,
22 or electronic media, or any matter obtained through access
23 to any computer or material linked to computer access use;

24 (11) not patronize any business providing sexually
25 stimulating or sexually oriented entertainment nor utilize
26 "900" or adult telephone numbers;

1 (12) not reside near, visit, or be in or about parks,
2 schools, day care centers, swimming pools, beaches,
3 theaters, or any other places where minor children
4 congregate without advance approval of an agent of the
5 Department of Corrections or the Department of Juvenile
6 Justice and immediately report any incidental contact with
7 minor children to the Department;

8 (13) not possess or have under his or her control
9 certain specified items of contraband related to the
10 incidence of sexually offending as determined by an agent
11 of the Department of Corrections or the Department of
12 Juvenile Justice;

13 (14) may be required to provide a written daily log of
14 activities if directed by an agent of the Department of
15 Corrections or the Department of Juvenile Justice;

16 (15) comply with all other special conditions that the
17 Department may impose that restrict the person from
18 high-risk situations and limit access to potential
19 victims;

20 (16) take an annual polygraph exam;

21 (17) maintain a log of his or her travel; or

22 (18) obtain prior approval of his or her parole officer
23 or aftercare specialist before driving alone in a motor
24 vehicle.

25 (c) The conditions under which the parole, aftercare
26 release, or mandatory supervised release is to be served shall

1 be communicated to the person in writing prior to his or her
2 release, and he or she shall sign the same before release. A
3 signed copy of these conditions, including a copy of an order
4 of protection where one had been issued by the criminal court,
5 shall be retained by the person and another copy forwarded to
6 the officer or aftercare specialist in charge of his or her
7 supervision.

8 (d) After a hearing under Section 3-3-9, the Prisoner
9 Review Board may modify or enlarge the conditions of parole,
10 aftercare release, or mandatory supervised release.

11 (e) The Department shall inform all offenders committed to
12 the Department of the optional services available to them upon
13 release and shall assist inmates in availing themselves of such
14 optional services upon their release on a voluntary basis.

15 (f) (Blank).

16 (Source: P.A. 97-50, eff. 6-28-11; 97-531, eff. 1-1-12; 97-560,
17 eff. 1-1-12; 97-597, eff. 1-1-12; 97-1109, eff. 1-1-13;
18 97-1150, eff. 1-25-13; 98-558, eff. 1-1-14.)

19 (730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)

20 Sec. 3-6-3. Rules and Regulations for Sentence Credit.

21 (a) (1) The Department of Corrections shall prescribe
22 rules and regulations for awarding and revoking sentence
23 credit for persons committed to the Department which shall
24 be subject to review by the Prisoner Review Board.

25 (1.5) As otherwise provided by law, sentence credit may

1 be awarded for the following:

2 (A) successful completion of programming while in
3 custody of the Department or while in custody prior to
4 sentencing;

5 (B) compliance with the rules and regulations of
6 the Department; or

7 (C) service to the institution, service to a
8 community, or service to the State.

9 (2) The rules and regulations on sentence credit shall
10 provide, with respect to offenses listed in clause (i),
11 (ii), or (iii) of this paragraph (2) committed on or after
12 June 19, 1998 or with respect to the offense listed in
13 clause (iv) of this paragraph (2) committed on or after
14 June 23, 2005 (the effective date of Public Act 94-71) or
15 with respect to offense listed in clause (vi) committed on
16 or after June 1, 2008 (the effective date of Public Act
17 95-625) or with respect to the offense of being an armed
18 habitual criminal committed on or after August 2, 2005 (the
19 effective date of Public Act 94-398) or with respect to the
20 offenses listed in clause (v) of this paragraph (2)
21 committed on or after August 13, 2007 (the effective date
22 of Public Act 95-134) or with respect to the offense of
23 aggravated domestic battery committed on or after July 23,
24 2010 (the effective date of Public Act 96-1224) or with
25 respect to the offense of attempt to commit terrorism
26 committed on or after January 1, 2013 (the effective date

1 of Public Act 97-990), the following:

2 (i) that a prisoner who is serving a term of
3 imprisonment for first degree murder or for the offense
4 of terrorism shall receive no sentence credit and shall
5 serve the entire sentence imposed by the court;

6 (ii) that a prisoner serving a sentence for attempt
7 to commit terrorism, attempt to commit first degree
8 murder, solicitation of murder, solicitation of murder
9 for hire, intentional homicide of an unborn child,
10 predatory criminal sexual assault of a child,
11 aggravated criminal sexual assault, criminal sexual
12 assault, aggravated kidnapping, aggravated battery
13 with a firearm as described in Section 12-4.2 or
14 subdivision (e) (1), (e) (2), (e) (3), or (e) (4) of
15 Section 12-3.05, heinous battery as described in
16 Section 12-4.1 or subdivision (a) (2) of Section
17 12-3.05, being an armed habitual criminal, aggravated
18 battery of a senior citizen as described in Section
19 12-4.6 or subdivision (a) (4) of Section 12-3.05, or
20 aggravated battery of a child as described in Section
21 12-4.3 or subdivision (b) (1) of Section 12-3.05 shall
22 receive no more than 4.5 days of sentence credit for
23 each month of his or her sentence of imprisonment;

24 (iii) that a prisoner serving a sentence for home
25 invasion, armed robbery, aggravated vehicular
26 hijacking, aggravated discharge of a firearm, or armed

1 violence with a category I weapon or category II
2 weapon, when the court has made and entered a finding,
3 pursuant to subsection (c-1) of Section 5-4-1 of this
4 Code, that the conduct leading to conviction for the
5 enumerated offense resulted in great bodily harm to a
6 victim, shall receive no more than 4.5 days of sentence
7 credit for each month of his or her sentence of
8 imprisonment;

9 (iv) that a prisoner serving a sentence for
10 aggravated discharge of a firearm, whether or not the
11 conduct leading to conviction for the offense resulted
12 in great bodily harm to the victim, shall receive no
13 more than 4.5 days of sentence credit for each month of
14 his or her sentence of imprisonment;

15 (v) that a person serving a sentence for
16 gunrunning, narcotics racketeering, controlled
17 substance trafficking, methamphetamine trafficking,
18 drug-induced homicide, aggravated
19 methamphetamine-related child endangerment, money
20 laundering pursuant to clause (c) (4) or (5) of Section
21 29B-1 of the Criminal Code of 1961 or the Criminal Code
22 of 2012, or a Class X felony conviction for delivery of
23 a controlled substance, possession of a controlled
24 substance with intent to manufacture or deliver,
25 calculated criminal drug conspiracy, criminal drug
26 conspiracy, street gang criminal drug conspiracy,

1 participation in methamphetamine manufacturing,
2 aggravated participation in methamphetamine
3 manufacturing, delivery of methamphetamine, possession
4 with intent to deliver methamphetamine, aggravated
5 delivery of methamphetamine, aggravated possession
6 with intent to deliver methamphetamine,
7 methamphetamine conspiracy when the substance
8 containing the controlled substance or methamphetamine
9 is 100 grams or more shall receive no more than 7.5
10 days sentence credit for each month of his or her
11 sentence of imprisonment;

12 (vi) that a prisoner serving a sentence for a
13 second or subsequent offense of luring a minor shall
14 receive no more than 4.5 days of sentence credit for
15 each month of his or her sentence of imprisonment; and

16 (vii) that a prisoner serving a sentence for
17 aggravated domestic battery shall receive no more than
18 4.5 days of sentence credit for each month of his or
19 her sentence of imprisonment.

20 (2.1) For all offenses, other than those enumerated in
21 subdivision (a) (2) (i), (ii), or (iii) committed on or after
22 June 19, 1998 or subdivision (a) (2) (iv) committed on or
23 after June 23, 2005 (the effective date of Public Act
24 94-71) or subdivision (a) (2) (v) committed on or after
25 August 13, 2007 (the effective date of Public Act 95-134)
26 or subdivision (a) (2) (vi) committed on or after June 1,

1 2008 (the effective date of Public Act 95-625) or
2 subdivision (a)(2)(vii) committed on or after July 23, 2010
3 (the effective date of Public Act 96-1224), and other than
4 the offense of aggravated driving under the influence of
5 alcohol, other drug or drugs, or intoxicating compound or
6 compounds, or any combination thereof as defined in
7 subparagraph (F) of paragraph (1) of subsection (d) of
8 Section 11-501 of the Illinois Vehicle Code, and other than
9 the offense of aggravated driving under the influence of
10 alcohol, other drug or drugs, or intoxicating compound or
11 compounds, or any combination thereof as defined in
12 subparagraph (C) of paragraph (1) of subsection (d) of
13 Section 11-501 of the Illinois Vehicle Code committed on or
14 after January 1, 2011 (the effective date of Public Act
15 96-1230), the rules and regulations shall provide that a
16 prisoner who is serving a term of imprisonment shall
17 receive one day of sentence credit for each day of his or
18 her sentence of imprisonment or recommitment under Section
19 3-3-9. Each day of sentence credit shall reduce by one day
20 the prisoner's period of imprisonment or recommitment
21 under Section 3-3-9.

22 (2.2) A prisoner serving a term of natural life
23 imprisonment or a prisoner who has been sentenced to death
24 shall receive no sentence credit.

25 (2.3) The rules and regulations on sentence credit
26 shall provide that a prisoner who is serving a sentence for

1 aggravated driving under the influence of alcohol, other
2 drug or drugs, or intoxicating compound or compounds, or
3 any combination thereof as defined in subparagraph (F) of
4 paragraph (1) of subsection (d) of Section 11-501 of the
5 Illinois Vehicle Code, shall receive no more than 4.5 days
6 of sentence credit for each month of his or her sentence of
7 imprisonment.

8 (2.4) The rules and regulations on sentence credit
9 shall provide with respect to the offenses of aggravated
10 battery with a machine gun or a firearm equipped with any
11 device or attachment designed or used for silencing the
12 report of a firearm or aggravated discharge of a machine
13 gun or a firearm equipped with any device or attachment
14 designed or used for silencing the report of a firearm,
15 committed on or after July 15, 1999 (the effective date of
16 Public Act 91-121), that a prisoner serving a sentence for
17 any of these offenses shall receive no more than 4.5 days
18 of sentence credit for each month of his or her sentence of
19 imprisonment.

20 (2.5) The rules and regulations on sentence credit
21 shall provide that a prisoner who is serving a sentence for
22 aggravated arson committed on or after July 27, 2001 (the
23 effective date of Public Act 92-176) shall receive no more
24 than 4.5 days of sentence credit for each month of his or
25 her sentence of imprisonment.

26 (2.6) The rules and regulations on sentence credit

1 shall provide that a prisoner who is serving a sentence for
2 aggravated driving under the influence of alcohol, other
3 drug or drugs, or intoxicating compound or compounds or any
4 combination thereof as defined in subparagraph (C) of
5 paragraph (1) of subsection (d) of Section 11-501 of the
6 Illinois Vehicle Code committed on or after January 1, 2011
7 (the effective date of Public Act 96-1230) shall receive no
8 more than 4.5 days of sentence credit for each month of his
9 or her sentence of imprisonment.

10 (3) The rules and regulations shall also provide that
11 the Director may award up to 180 days additional sentence
12 credit for good conduct in specific instances as the
13 Director deems proper. The good conduct may include, but is
14 not limited to, compliance with the rules and regulations
15 of the Department, service to the Department, service to a
16 community, or service to the State. However, the Director
17 shall not award more than 90 days of sentence credit for
18 good conduct to any prisoner who is serving a sentence for
19 conviction of first degree murder, reckless homicide while
20 under the influence of alcohol or any other drug, or
21 aggravated driving under the influence of alcohol, other
22 drug or drugs, or intoxicating compound or compounds, or
23 any combination thereof as defined in subparagraph (F) of
24 paragraph (1) of subsection (d) of Section 11-501 of the
25 Illinois Vehicle Code, aggravated kidnapping, kidnapping,
26 predatory criminal sexual assault of a child, aggravated

1 criminal sexual assault, criminal sexual assault, deviate
2 sexual assault, aggravated criminal sexual abuse,
3 aggravated indecent liberties with a child, indecent
4 liberties with a child, child pornography, heinous battery
5 as described in Section 12-4.1 or subdivision (a)(2) of
6 Section 12-3.05, aggravated battery of a spouse,
7 aggravated battery of a spouse with a firearm, stalking,
8 aggravated stalking, aggravated battery of a child as
9 described in Section 12-4.3 or subdivision (b)(1) of
10 Section 12-3.05, endangering the life or health of a child,
11 or cruelty to a child. Notwithstanding the foregoing,
12 sentence credit for good conduct shall not be awarded on a
13 sentence of imprisonment imposed for conviction of: (i) one
14 of the offenses enumerated in subdivision (a)(2)(i), (ii),
15 or (iii) when the offense is committed on or after June 19,
16 1998 or subdivision (a)(2)(iv) when the offense is
17 committed on or after June 23, 2005 (the effective date of
18 Public Act 94-71) or subdivision (a)(2)(v) when the offense
19 is committed on or after August 13, 2007 (the effective
20 date of Public Act 95-134) or subdivision (a)(2)(vi) when
21 the offense is committed on or after June 1, 2008 (the
22 effective date of Public Act 95-625) or subdivision
23 (a)(2)(vii) when the offense is committed on or after July
24 23, 2010 (the effective date of Public Act 96-1224), (ii)
25 aggravated driving under the influence of alcohol, other
26 drug or drugs, or intoxicating compound or compounds, or

1 any combination thereof as defined in subparagraph (F) of
2 paragraph (1) of subsection (d) of Section 11-501 of the
3 Illinois Vehicle Code, (iii) one of the offenses enumerated
4 in subdivision (a) (2.4) when the offense is committed on or
5 after July 15, 1999 (the effective date of Public Act
6 91-121), (iv) aggravated arson when the offense is
7 committed on or after July 27, 2001 (the effective date of
8 Public Act 92-176), (v) offenses that may subject the
9 offender to commitment under the Sexually Violent Persons
10 Commitment Act, or (vi) aggravated driving under the
11 influence of alcohol, other drug or drugs, or intoxicating
12 compound or compounds or any combination thereof as defined
13 in subparagraph (C) of paragraph (1) of subsection (d) of
14 Section 11-501 of the Illinois Vehicle Code committed on or
15 after January 1, 2011 (the effective date of Public Act
16 96-1230).

17 Eligible inmates for an award of sentence credit under this
18 paragraph (3) may be selected to receive the credit at the
19 Director's or his or her designee's sole discretion.
20 Consideration may be based on, but not limited to, any
21 available risk assessment analysis on the inmate, any history
22 of conviction for violent crimes as defined by the Rights of
23 Crime Victims and Witnesses Act, facts and circumstances of the
24 inmate's holding offense or offenses, and the potential for
25 rehabilitation.

26 The Director shall not award sentence credit under this

1 paragraph (3) to an inmate unless the inmate has served a
2 minimum of 60 days of the sentence; except nothing in this
3 paragraph shall be construed to permit the Director to extend
4 an inmate's sentence beyond that which was imposed by the
5 court. Prior to awarding credit under this paragraph (3), the
6 Director shall make a written determination that the inmate:

7 (A) is eligible for the sentence credit;

8 (B) has served a minimum of 60 days, or as close to
9 60 days as the sentence will allow; and

10 (C) has met the eligibility criteria established
11 by rule.

12 The Director shall determine the form and content of
13 the written determination required in this subsection.

14 (3.5) The Department shall provide annual written
15 reports to the Governor and the General Assembly on the
16 award of sentence credit for good conduct, with the first
17 report due January 1, 2014. The Department must publish
18 both reports on its website within 48 hours of transmitting
19 the reports to the Governor and the General Assembly. The
20 reports must include:

21 (A) the number of inmates awarded sentence credit
22 for good conduct;

23 (B) the average amount of sentence credit for good
24 conduct awarded;

25 (C) the holding offenses of inmates awarded
26 sentence credit for good conduct; and

1 (D) the number of sentence credit for good conduct
2 revocations.

3 (4) The rules and regulations shall also provide that
4 the sentence credit accumulated and retained under
5 paragraph (2.1) of subsection (a) of this Section by any
6 inmate during specific periods of time in which such inmate
7 is engaged full-time in substance abuse programs,
8 correctional industry assignments, educational programs,
9 behavior modification programs, life skills courses, or
10 re-entry planning provided by the Department under this
11 paragraph (4) and satisfactorily completes the assigned
12 program as determined by the standards of the Department,
13 shall be multiplied by a factor of 1.25 for program
14 participation before August 11, 1993 and 1.50 for program
15 participation on or after that date. The rules and
16 regulations shall also provide that sentence credit,
17 subject to the same offense limits and multiplier provided
18 in this paragraph, may be provided to an inmate who was
19 held in pre-trial detention prior to his or her current
20 commitment to the Department of Corrections and
21 successfully completed a full-time, 60-day or longer
22 substance abuse program, educational program, behavior
23 modification program, life skills course, or re-entry
24 planning provided by the county department of corrections
25 or county jail. Calculation of this county program credit
26 shall be done at sentencing as provided in Section

1 5-4.5-100 of this Code and shall be included in the
2 sentencing order. However, no inmate shall be eligible for
3 the additional sentence credit under this paragraph (4) or
4 (4.1) of this subsection (a) ~~while assigned to a boot camp~~
5 ~~or electronic detention,~~ or if convicted of an offense
6 enumerated in subdivision (a) (2) (i), (ii), or (iii) of this
7 Section that is committed on or after June 19, 1998 or
8 subdivision (a) (2) (iv) of this Section that is committed on
9 or after June 23, 2005 (the effective date of Public Act
10 94-71) or subdivision (a) (2) (v) of this Section that is
11 committed on or after August 13, 2007 (the effective date
12 of Public Act 95-134) or subdivision (a) (2) (vi) when the
13 offense is committed on or after June 1, 2008 (the
14 effective date of Public Act 95-625) or subdivision
15 (a) (2) (vii) when the offense is committed on or after July
16 23, 2010 (the effective date of Public Act 96-1224), or if
17 convicted of aggravated driving under the influence of
18 alcohol, other drug or drugs, or intoxicating compound or
19 compounds or any combination thereof as defined in
20 subparagraph (F) of paragraph (1) of subsection (d) of
21 Section 11-501 of the Illinois Vehicle Code, or if
22 convicted of aggravated driving under the influence of
23 alcohol, other drug or drugs, or intoxicating compound or
24 compounds or any combination thereof as defined in
25 subparagraph (C) of paragraph (1) of subsection (d) of
26 Section 11-501 of the Illinois Vehicle Code committed on or

1 after January 1, 2011 (the effective date of Public Act
2 96-1230), or if convicted of an offense enumerated in
3 paragraph (a)(2.4) of this Section that is committed on or
4 after July 15, 1999 (the effective date of Public Act
5 91-121), or first degree murder, a Class X felony that does
6 not qualify for day for day sentence credit under paragraph
7 (2.1) of this subsection (a), criminal sexual assault,
8 felony criminal sexual abuse that does not qualify for day
9 for day sentence credit under paragraph (2.1) of this
10 subsection (a), aggravated criminal sexual abuse that does
11 not qualify for day for day sentence credit under paragraph
12 (2.1) of this subsection (a), aggravated battery with a
13 firearm as described in Section 12-4.2 or subdivision
14 (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05, or
15 any predecessor or successor offenses with the same or
16 substantially the same elements that does not qualify for
17 day for day sentence credit under paragraph (2.1) of this
18 subsection (a), or any inchoate offenses relating to the
19 foregoing offenses that does not qualify for day for day
20 sentence credit under paragraph (2.1) of this subsection
21 (a). ~~No inmate shall be eligible for the additional good~~
22 ~~conduct credit under this paragraph (4) who (i) has~~
23 ~~previously received increased good conduct credit under~~
24 ~~this paragraph (4) and has subsequently been convicted of a~~
25 ~~felony, or (ii) has previously served more than one prior~~
26 ~~sentence of imprisonment for a felony in an adult~~

1 ~~correctional facility.~~

2 Educational, vocational, substance abuse, behavior
3 modification programs, life skills courses, re-entry
4 planning, and correctional industry programs under which
5 sentence credit may be increased under this paragraph (4)
6 and paragraph (4.1) of this subsection (a) shall be
7 evaluated by the Department on the basis of documented
8 standards. The Department shall report the results of these
9 evaluations to the Governor and the General Assembly by
10 September 30th of each year. The reports shall include data
11 relating to the recidivism rate among program
12 participants.

13 Availability of these programs shall be subject to the
14 limits of fiscal resources appropriated by the General
15 Assembly for these purposes. Eligible inmates who are
16 denied immediate admission shall be placed on a waiting
17 list under criteria established by the Department. The
18 inability of any inmate to become engaged in any such
19 programs by reason of insufficient program resources or for
20 any other reason established under the rules and
21 regulations of the Department shall not be deemed a cause
22 of action under which the Department or any employee or
23 agent of the Department shall be liable for damages to the
24 inmate.

25 (4.1) The rules and regulations shall also provide that
26 an additional 90 days of sentence credit shall be awarded

1 to any prisoner who passes high school equivalency testing
2 while the prisoner is committed to the Department of
3 Corrections. The sentence credit awarded under this
4 paragraph (4.1) shall be in addition to, and shall not
5 affect, the award of sentence credit under any other
6 paragraph of this Section, but shall also be pursuant to
7 the guidelines and restrictions set forth in paragraph (4)
8 of subsection (a) of this Section. The sentence credit
9 provided for in this paragraph shall be available only to
10 those prisoners who have not previously earned a high
11 school diploma or a high school equivalency certificate.
12 If, after an award of the high school equivalency testing
13 sentence credit has been made, the Department determines
14 that the prisoner was not eligible, then the award shall be
15 revoked. The Department may also award 90 days of sentence
16 credit to any committed person who passed high school
17 equivalency testing while he or she was held in pre-trial
18 detention prior to the current commitment to the Department
19 of Corrections.

20 (4.5) The rules and regulations on sentence credit
21 shall also provide that when the court's sentencing order
22 recommends a prisoner for substance abuse treatment and the
23 crime was committed on or after September 1, 2003 (the
24 effective date of Public Act 93-354), the prisoner shall
25 receive no sentence credit awarded under clause (3) of this
26 subsection (a) unless he or she participates in and

1 completes a substance abuse treatment program. The
2 Director may waive the requirement to participate in or
3 complete a substance abuse treatment program and award the
4 sentence credit in specific instances if the prisoner is
5 not a good candidate for a substance abuse treatment
6 program for medical, programming, or operational reasons.
7 Availability of substance abuse treatment shall be subject
8 to the limits of fiscal resources appropriated by the
9 General Assembly for these purposes. If treatment is not
10 available and the requirement to participate and complete
11 the treatment has not been waived by the Director, the
12 prisoner shall be placed on a waiting list under criteria
13 established by the Department. The Director may allow a
14 prisoner placed on a waiting list to participate in and
15 complete a substance abuse education class or attend
16 substance abuse self-help meetings in lieu of a substance
17 abuse treatment program. A prisoner on a waiting list who
18 is not placed in a substance abuse program prior to release
19 may be eligible for a waiver and receive sentence credit
20 under clause (3) of this subsection (a) at the discretion
21 of the Director.

22 (4.6) The rules and regulations on sentence credit
23 shall also provide that a prisoner who has been convicted
24 of a sex offense as defined in Section 2 of the Sex
25 Offender Registration Act shall receive no sentence credit
26 unless he or she either has successfully completed or is

1 participating in sex offender treatment as defined by the
2 Sex Offender Management Board. However, prisoners who are
3 waiting to receive treatment, but who are unable to do so
4 due solely to the lack of resources on the part of the
5 Department, may, at the Director's sole discretion, be
6 awarded sentence credit at a rate as the Director shall
7 determine.

8 (5) Whenever the Department is to release any inmate
9 earlier than it otherwise would because of a grant of
10 sentence credit for good conduct under paragraph (3) of
11 subsection (a) of this Section given at any time during the
12 term, the Department shall give reasonable notice of the
13 impending release not less than 14 days prior to the date
14 of the release to the State's Attorney of the county where
15 the prosecution of the inmate took place, and if
16 applicable, the State's Attorney of the county into which
17 the inmate will be released. The Department must also make
18 identification information and a recent photo of the inmate
19 being released accessible on the Internet by means of a
20 hyperlink labeled "Community Notification of Inmate Early
21 Release" on the Department's World Wide Web homepage. The
22 identification information shall include the inmate's:
23 name, any known alias, date of birth, physical
24 characteristics, commitment offense and county where
25 conviction was imposed. The identification information
26 shall be placed on the website within 3 days of the

1 inmate's release and the information may not be removed
2 until either: completion of the first year of mandatory
3 supervised release or return of the inmate to custody of
4 the Department.

5 (b) Whenever a person is or has been committed under
6 several convictions, with separate sentences, the sentences
7 shall be construed under Section 5-8-4 in granting and
8 forfeiting of sentence credit.

9 (c) The Department shall prescribe rules and regulations
10 for revoking sentence credit, including revoking sentence
11 credit awarded for good conduct under paragraph (3) of
12 subsection (a) of this Section. The Department shall prescribe
13 rules and regulations for suspending or reducing the rate of
14 accumulation of sentence credit for specific rule violations,
15 during imprisonment. These rules and regulations shall provide
16 that no inmate may be penalized more than one year of sentence
17 credit for any one infraction.

18 When the Department seeks to revoke, suspend or reduce the
19 rate of accumulation of any sentence credits for an alleged
20 infraction of its rules, it shall bring charges therefor
21 against the prisoner sought to be so deprived of sentence
22 credits before the Prisoner Review Board as provided in
23 subparagraph (a)(4) of Section 3-3-2 of this Code, if the
24 amount of credit at issue exceeds 30 days or when during any 12
25 month period, the cumulative amount of credit revoked exceeds
26 30 days except where the infraction is committed or discovered

1 within 60 days of scheduled release. In those cases, the
2 Department of Corrections may revoke up to 30 days of sentence
3 credit. The Board may subsequently approve the revocation of
4 additional sentence credit, if the Department seeks to revoke
5 sentence credit in excess of 30 days. However, the Board shall
6 not be empowered to review the Department's decision with
7 respect to the loss of 30 days of sentence credit within any
8 calendar year for any prisoner or to increase any penalty
9 beyond the length requested by the Department.

10 The Director of the Department of Corrections, in
11 appropriate cases, may restore up to 30 days of sentence
12 credits which have been revoked, suspended or reduced. Any
13 restoration of sentence credits in excess of 30 days shall be
14 subject to review by the Prisoner Review Board. However, the
15 Board may not restore sentence credit in excess of the amount
16 requested by the Director.

17 Nothing contained in this Section shall prohibit the
18 Prisoner Review Board from ordering, pursuant to Section
19 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the
20 sentence imposed by the court that was not served due to the
21 accumulation of sentence credit.

22 (d) If a lawsuit is filed by a prisoner in an Illinois or
23 federal court against the State, the Department of Corrections,
24 or the Prisoner Review Board, or against any of their officers
25 or employees, and the court makes a specific finding that a
26 pleading, motion, or other paper filed by the prisoner is

1 frivolous, the Department of Corrections shall conduct a
2 hearing to revoke up to 180 days of sentence credit by bringing
3 charges against the prisoner sought to be deprived of the
4 sentence credits before the Prisoner Review Board as provided
5 in subparagraph (a) (8) of Section 3-3-2 of this Code. If the
6 prisoner has not accumulated 180 days of sentence credit at the
7 time of the finding, then the Prisoner Review Board may revoke
8 all sentence credit accumulated by the prisoner.

9 For purposes of this subsection (d):

10 (1) "Frivolous" means that a pleading, motion, or other
11 filing which purports to be a legal document filed by a
12 prisoner in his or her lawsuit meets any or all of the
13 following criteria:

14 (A) it lacks an arguable basis either in law or in
15 fact;

16 (B) it is being presented for any improper purpose,
17 such as to harass or to cause unnecessary delay or
18 needless increase in the cost of litigation;

19 (C) the claims, defenses, and other legal
20 contentions therein are not warranted by existing law
21 or by a nonfrivolous argument for the extension,
22 modification, or reversal of existing law or the
23 establishment of new law;

24 (D) the allegations and other factual contentions
25 do not have evidentiary support or, if specifically so
26 identified, are not likely to have evidentiary support

1 after a reasonable opportunity for further
2 investigation or discovery; or

3 (E) the denials of factual contentions are not
4 warranted on the evidence, or if specifically so
5 identified, are not reasonably based on a lack of
6 information or belief.

7 (2) "Lawsuit" means a motion pursuant to Section 116-3
8 of the Code of Criminal Procedure of 1963, a habeas corpus
9 action under Article X of the Code of Civil Procedure or
10 under federal law (28 U.S.C. 2254), a petition for claim
11 under the Court of Claims Act, an action under the federal
12 Civil Rights Act (42 U.S.C. 1983), or a second or
13 subsequent petition for post-conviction relief under
14 Article 122 of the Code of Criminal Procedure of 1963
15 whether filed with or without leave of court or a second or
16 subsequent petition for relief from judgment under Section
17 2-1401 of the Code of Civil Procedure.

18 (e) Nothing in Public Act 90-592 or 90-593 affects the
19 validity of Public Act 89-404.

20 (f) Whenever the Department is to release any inmate who
21 has been convicted of a violation of an order of protection
22 under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or
23 the Criminal Code of 2012, earlier than it otherwise would
24 because of a grant of sentence credit, the Department, as a
25 condition of release, shall require that the person, upon
26 release, be placed under electronic surveillance as provided in

1 Section 5-8A-7 of this Code.

2 (Source: P.A. 98-718, eff. 1-1-15; 99-241, eff. 1-1-16; 99-275,
3 eff. 1-1-16; revised 10-19-15.)

4 (730 ILCS 5/3-14-2) (from Ch. 38, par. 1003-14-2)

5 Sec. 3-14-2. Supervision on Parole, Mandatory Supervised
6 Release and Release by Statute.

7 (a) The Department shall retain custody of all persons
8 placed on parole or mandatory supervised release or released
9 pursuant to Section 3-3-10 of this Code and shall supervise
10 such persons during their parole or release period in accord
11 with the conditions set by the Prisoner Review Board or
12 conditions of parole, aftercare release, or mandatory
13 supervised release under Section 3-3-7 of this Code. ~~The Such~~
14 conditions shall include referral to an alcohol or drug abuse
15 treatment program, as appropriate, if the ~~such~~ person has
16 previously been identified as having an alcohol or drug abuse
17 problem. ~~Such conditions may include that the person use an~~
18 ~~approved electronic monitoring device subject to Article 8A of~~
19 ~~Chapter V.~~

20 (b) The Department shall assign personnel to assist persons
21 eligible for parole in preparing a parole plan. Such Department
22 personnel shall make a report of their efforts and findings to
23 the Prisoner Review Board prior to its consideration of the
24 case of such eligible person.

25 (c) A copy of the conditions of his parole or release shall

1 be signed by the parolee or releasee and given to him and to
2 his supervising officer who shall report on his progress under
3 the rules and regulations of the Prisoner Review Board. The
4 supervising officer shall report violations to the Prisoner
5 Review Board and shall have the full power of peace officers in
6 the arrest and retaking of any parolees or releasees or the
7 officer may request the Department to issue a warrant for the
8 arrest of any parolee or releasee who has allegedly violated
9 his parole or release conditions.

10 (c-1) The supervising officer shall request the Department
11 to issue a parole violation warrant, and the Department shall
12 issue a parole violation warrant, under the following
13 circumstances:

14 (1) if the parolee or releasee commits an act that
15 constitutes a felony using a firearm or knife,

16 (2) if applicable, fails to comply with the
17 requirements of the Sex Offender Registration Act,

18 (3) if the parolee or releasee is charged with:

19 (A) a felony offense of domestic battery under
20 Section 12-3.2 of the Criminal Code of 1961 or the
21 Criminal Code of 2012,

22 (B) aggravated domestic battery under Section
23 12-3.3 of the Criminal Code of 1961 or the Criminal
24 Code of 2012,

25 (C) stalking under Section 12-7.3 of the Criminal
26 Code of 1961 or the Criminal Code of 2012,

1 (D) aggravated stalking under Section 12-7.4 of
2 the Criminal Code of 1961 or the Criminal Code of 2012,

3 (E) violation of an order of protection under
4 Section 12-3.4 or 12-30 of the Criminal Code of 1961 or
5 the Criminal Code of 2012, or

6 (F) any offense that would require registration as
7 a sex offender under the Sex Offender Registration Act,
8 or

9 (4) if the parolee or releasee is on parole or
10 mandatory supervised release for a murder, a Class X felony
11 or a Class 1 felony violation of the Criminal Code of 1961
12 or the Criminal Code of 2012, or any felony that requires
13 registration as a sex offender under the Sex Offender
14 Registration Act and commits an act that constitutes first
15 degree murder, a Class X felony, a Class 1 felony, a Class
16 2 felony, or a Class 3 felony.

17 A sheriff or other peace officer may detain an alleged
18 parole or release violator until a warrant for his return to
19 the Department can be issued. The parolee or releasee may be
20 delivered to any secure place until he can be transported to
21 the Department. The officer or the Department shall file a
22 violation report with notice of charges with the Prisoner
23 Review Board.

24 (d) The supervising officer shall regularly advise and
25 consult with the parolee or releasee, assist him in adjusting
26 to community life, inform him of the restoration of his rights

1 on successful completion of sentence under Section 5-5-5. If
2 the parolee or releasee has been convicted of a sex offense as
3 defined in the Sex Offender Management Board Act, the
4 supervising officer shall periodically, but not less than once
5 a month, verify that the parolee or releasee is in compliance
6 with paragraph (7.6) of subsection (a) of Section 3-3-7.

7 (e) Supervising officers shall receive specialized
8 training in the special needs of female releasees or parolees
9 including the family reunification process.

10 (f) The supervising officer shall keep such records as the
11 Prisoner Review Board or Department may require. All records
12 shall be entered in the master file of the individual.

13 (Source: P.A. 96-282, eff. 1-1-10; 96-1447, eff. 8-20-10;
14 97-389, eff. 8-15-11; 97-1150, eff. 1-25-13.)